GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Revenue Department - ROR - Dharmavaram Division - Rapthadu Mandal - Rapthadu village - Irregularities in recommending the proposals to the District Collector, Ananthapuram for deletion of the lands Sy.No.119-1 extent Ac.6.00 and S.No.199-2 extent Ac.2.10 of Rapthadu village for deletion from 22-A(i)(b) list, after receipt of the proposals from the thenTahasildar, Rapthadu - Disciplinary proceedings initiated against Sri D.ThippeNaik, Revenue Divisional Officer, Dharmavaram, Ananthapuram under rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 - Regular inquiry conducted - Charges partly held proved in the inquiry - Penalty of Stoppage of one increment with cumulative effect - imposed - Review petition filed against the punishment orders - Admitted - Modifying the penalty and exonerated from the disciplinary proceedings - Orders - Issued.

REVENUE (VIGILANCE -I) DEPARTMENT

G.O.Rt.No.220

Dated:22.02.2024

Read the following:

1. G.O.Rt.No.1122, Revenue (Vig.I) Dept., Dt.05.12.2023.
2. Review petition Dt.20.12.2023 filed by Sri D.Thippe Naik, Revenue Divisional Officer, Dharmavaram, Ananthapuramu.

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ORDER:

Whereas, in the G.O.1st read above, orders have been issued imposing a punishment of "Stoppage of one increment with cumulative effect" against Sri D.Thippe Naik, the then Revenue Divisional Officer, Dharmavaram for his irregularities in recommending the proposals to the District Collector, Ananthapuram for deletion of the lands Sy.No.119-1 extent Ac.6.00 and S.No.199-2 extent Ac.2.10 of Rapthadu village for deletion from 22-A(i)(b) list, after receipt of the proposals from the thenTahasildar, Rapthadu.

2. Aggieved by the above orders, Sri D.Thippe Naik, the then Revenue Divisional Officer, Dharmavaram has filed a review petition before the Government denying the allegations and stated that the Enquiry Officer has not verified the original RSR then available in the O/o the MRO, Rapthadu Village and Mandal for the reason that the record of MRO office was destroyed in an arson in May-2015 due to killing of a political leader. The Enquiry officer came to hasty conclusion without having any verification of original record and conveniently and willingly ignored the fact of destroying of entire record in arson after death of a political leader in May-2015. The Enquiry Officer has came to per contra conclusion ignoring the record that has been granted copies to the beneficiaries from time to time by the earlier Tahsildars and came to conclusion that the record granted officially earlier Tahsildars has no authenticity. The entries in RH register are made only relating to the record information available prior to year 1934. Any information after 1934 is not updated in RH register for the reason that no correspondence is being entertain by the Revenue Department and furnishing the same to the Registration Department on changes being done at Revenue Department level. It is submitted that prior to year 1934 the land was assessed waste only after year 1934 the land was sub-divided assign to the predecessors in title of the claimants. When such is the case the entry in RH register is not supporting document to come to an adverse conclusion. The findings of the Inquiry Officer, that the record with MRO office is not available is a classical example that the Inquiry Officer, turned deaf year on the facts available at ground level when entire record of MRO office, Rapthadu was burnt to ashes how one can except previous record be produced for verification at the time of considering issue placed before him. After perusal of the records available with the legal heirs of the assignees it

has become clear that the land was assigned prior to 18.06.1954 and comes within perview of the GO.Ms.No.574, Revenue Dt. 16.11.2018. The record available with the applicant proved that the land was assigned as back as in 1936/1952 prior to issue of GO.Ms.No.1142 Revenue, Dt. 18.06.1954. The documents submitted by the applicants which were submitted by the Tahsildar along with his proposal that the said documents bear evidentiary value and those documents admissible for evidence in as much as they were given certified copies by the previous Tahsildars.The Enquiry officer has come to conclusion mechanical without appreciating the facts and also conducting enquiry with the claimants who have copies of extracts granted by successive Tahsildars and after completion of enquiry found that there is no substantial evidence against the appellant to hold him responsible for above said to be irregularity and mechanically reported as the charge is partly proved.

3. And whereas, the review petition of Sri D.Thippe Naik, Revenue Divisional Officer, Dharmavaram, Ananthapuramu has been admitted and a personal hearing has been conducted by the competent authority on 05.02.2024.

4. After careful examination of the grounds put forth in the review petition and also after hearing to pleadings of the petitioner during the personal hearing, Government have observed that, the Charged officer has submitted a report Dt.08.11.2019 to the Collector, Ananthapuramu and clearly mentioned that "the report of the Tahsildar Rapthadu is herewith submitted for kind perusal and necessary action may be taken basing on the benefit of doubt. The inquiry officer in his report mentioned that "at this juncture it is difficult to assess whether the same is bonfide mistake by an error in judgement or it is a commission of an error with malafide intention. So, the inquiry officer himself in dilemma to prove the charge and without any substantial evidences reported that the charge is partly proved. Therefore it is felt that it is not proper to accord punishment under such ambiguous circumstances. Hence the punishment of stoppage of one increment with cumulative effect is revoked exonerating him from the charges.

5. Government, in exercise of the powers conferred under rule- 38(a) of A.P.C.S (CC&A) Rules, 1991, here by review and modify the penalty of "Stoppage of one increment with cumulative effect" imposed against Sri D.Thippe Naik, Revenue Divisional Officer, Dharmavaram, Ananthapuramu and revoke the said penalty and exonerate him from the disciplinary proceedings framed against him.

6. The Chief Commissioner of Land Administration, A.P., Mangalagiri/ District Collector, Ananthapuramu shall take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY JAIN
SPECIAL CHIEF SECRETARY TO GOVERNMENT (LANDS)(FAC)

To
Sri D.ThippeNaik, Revenue Divisional Officer, Dharmavaram, Ananthapuram (through the Chief Commissioner of Land Administration, A.P., Mangalagiri.)
The Chief Commissioner of Land Administration, A.P., Mangalagiri.
Copy to:-
The District Collector, Ananthapuram District.
The Prl. Accountant General (A&E), AP, Hyderabad.
The Director of Treasuries and Accounts, Vijayawada.
The Revenue (Ser.I) Dept.,
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER